

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9187

IN THE MATTER OF:

Served December 14, 2005

Application of ROYAL STAR LLC for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2005-192

By application accepted for filing December 5, 2005, Royal Star LLC, a Maryland entity, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains rates for transportation under the District of Columbia and Montgomery County Medicaid programs, rates for one-way and roundtrip transfers, and flat rates for transportation to and from Ronald Reagan Washington National and Washington-Dulles International Airports.

Applicant's president and CEO, Folorunso Ogunsanya, currently holds WMATC Certificate of Authority No. 701 and operates under the trade name Royal Ventures. Because applicant is controlled by an existing WMATC carrier, applicant will be directed to file an Exhibit E describing the control relationship and explaining the anticipated effect on competition and employees if common control is approved.

Applications for certificates of authority are governed by Title II of the Compact, Article XI, Section 7. Applications for approval of common control are governed by Article XII, Section 3.

Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Article XII, Section 3(a)(iii), of the Compact states that a carrier or any person controlling, controlled by, or under common control with a carrier shall obtain Commission approval to acquire control of another carrier that operates in the Metropolitan District through ownership of its stock or other means. Approval may be granted if the Commission finds the acquisition is consistent with the public interest.<sup>1</sup> The public interest analysis focuses on the fitness of the acquiring party, the resulting competitive balance, and the interest of affected employees.

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<sup>1</sup> Compact, tit. II, art. XII, § 3(c).

<sup>2</sup> Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at DC CODE ANN. § 9-1103.04 (2005)); In re Capital City Coach, Inc., No. AP-05-32, Order No. 8752 (June 1, 2005).

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than December 28, 2005, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than January 11, 2006, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than January 11, 2006, an Exhibit E describing the control relationship between applicant and WMATC carrier No. 701 and explaining the anticipated effect on competition and employees if common control is approved.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing is January 11, 2006, and that copies must be served on applicant's President/CEO, Folorunso Ogunsanya, P.O. Box 5714, Hyattsville, MD 20782.

FOR THE COMMISSION:

A handwritten signature in cursive script, reading "Jeffrey M. Lehmann".

Jeffrey M. Lehmann  
Acting Executive Director